

Appl. No. 09/834,237
Amdt. Dated January 14, 2005
Reply to Office Action of November 4, 2004

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Remarks

The specification is being amended to include the Serial Number of the related co-pending application identified at page 1. Withdrawal of the objection to the specification is accordingly requested.

Claims 1, 9, 11, 17, and 18-20 were rejected, 35 USC 102(e), as being anticipated by Borella et al patent 6,697,354. Claims 9, 11, and 17-20 have been cancelled, and claim 1 amended to include the subject matter of prior dependent claim 2.

Claims 3-8, 10, and 12-14 were objected to as being dependent upon a rejected base claim, but were deemed to be allowable if rewritten in independent form including all of the limitations of their base and any intervening claims. Accordingly, claims 3 and 4 have been amended to include all of the limitations of their prior base claim 1. Claims 10 and 12-14 are dependent, directly or indirectly, on amended independent claim 3, and claims 5-8 are dependent directly on amended independent claim 4. Claims 12 and 14 have also been amended to improve their form.

Favorable consideration and allowance of claims 3-8, 10, and 12-14 are therefore respectfully requested.

Claims 1, 2, and 15-24 were provisionally rejected under the doctrine of double patenting in view of claims in the co-pending related application identified in the specification. Of these claims, however, claims 2, 15, 16, and 21-24 were not rejected on prior art. Accordingly, applicants have amended claim 1 to include the subject matter of prior dependent claim 2, which has been cancelled, amended claim 15 to be an independent claim including all the limitations of its prior parent claim 1 but being also amended to improve its form, and amended claim 21 to be an independent claim including all of the limitations of its prior parent claim 17. Claim 16 is dependent on now independent claim 15, and claims 22-24 are each dependent on now independent claim 21.

While this rejection is on provisional double patenting, the claims in the related application identified by the Examiner not yet having been allowed, applicants believe that an Amendment being submitted concurrently herewith in the related application will place those claims in condition for allowance. Accordingly, to expedite the prosecution of this application, applicants are submitting herewith a Terminal Disclaimer to obviate any double patenting rejection. Applicants wish to bring to the Examiner's attention that while Telcordia Technologies, Inc. is the sole owner of application Serial No. 09/834,234, it is not the sole owner of the present application, though it has 100% ownership rights. Inventors Prathima Agrawal, Subir Das, and Archan Misra have assigned their interests in this application to Telcordia Technologies, Inc, as recorded at Reel/Frame 011798/0152. Inventor Sajal Das, however, is not under any obligation to

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Telcordia Technologies, Inc., and Telcordia Technologies, Inc., does not know whether he has retained his ownership rights or has assigned them.

Since claims 3-8, 10, and 12-14 have been deemed to be allowable and claims 1, 15, 16, and 21-24 are believed to be allowable in view of the Terminal Disclaimer, it is submitted that this application is in condition to be passed to issue, and such action is also respectfully requested.

If the Examiner believes it would in any way expedite the prosecution of this application, he is invited to telephone applicants' attorney at the number set forth below.

Respectfully submitted,

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Enclosed
Terminal Disclaimer